

REMARKS

In the Office Action¹, the Examiner rejected claims 1-9, 11, 12, 26-32, 35, 36, and 38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,889,246 to Kawamoto et al. ("*Kawamoto*"), in view of U.S. Patent No. 6,449,219 to Hepp et al. ("*Hepp*"), and further in view of U.S. Patent No. 6,385,591 to Mankoff ("*Mankoff*"); and rejected claims 13 and 37 under 35 U.S.C. § 103(a) as being unpatentable over *Kawamoto*, in view of *Hepp*, in view of *Mankoff*, and further in view of U.S. Patent No. 6,628,974 to Lim ("*Lim*").

Applicant has amended claims 1 and 26. Claims 1-9, 11-14, 26-32, and 35-38 remain pending.

Applicant respectfully traverses the rejection of claims 1-9, 11, 12, 26-32, 35, 36, and 38 under 35 U.S.C. § 103(a). The prior art cited by the Examiner, *Kawamoto*, *Hepp*, and *Makoff*, does not teach or suggest each and every element of claims 1-9, 11, 12, 26-32, 35, 36, and 38. A *prima facie* case of obviousness has, therefore, not been established.

Claim 1 recites a system including, for example:

a plurality of hand held terminal devices . . .
an information distribution apparatus . . .
display means . . .

. . . .

wherein,

the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information.

(emphasis added). *Kawamoto* and *Hepp* do not teach or suggest at least the claimed “advertisement information.” Therefore, *Kawamoto* and *Hepp* do not teach or suggest the claimed information distribution apparatus wherein “the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information,” as recited in claim 1.

The Examiner relies on *Mankoff* to allegedly disclose the claimed “advertisement information” (Office Action at page 3).

Mankoff discloses a virtual coupon that is “obtained when a user selects a given link in a Web page being displayed on a client machine” (col. 1, lines 45-47). The virtual coupon may be downloaded to a PDA (col. 1, lines 51-53). According to *Mankoff*, a coupon may be saved to a client machine and downloaded to a PDA. The coupon may be redeemed “in exchange for a discount on a given product” (col. 1, lines 64-67).

Claim 1 requires “an information distribution apparatus” that distributes 1) “watch information” and 2) “advertisement information” at the same time. Even assuming that *Mankoff* discloses “advertisement information” and the terminal device in *Kawamoto* can receive “watch information” and “advertisement information,” which Applicant does not concede, the “watch information” and “advertisement information” are not distributed at

the same time at least because there is no distribution apparatus in the references that distributes both information.

There is no teaching or suggestion in the references that a combination of *Kawamoto*, *Hepp*, and *Mankoff* would achieve distribution of “watch information” and “advertisement information” at the same time. Therefore, *Kawamoto*, *Hepp*, and *Mankoff* do not teach or suggest the claimed information distribution apparatus wherein “the information distribution apparatus distributes additional information comprising advertisement information to the plurality of hand held terminal devices at the same time as the watch information so that the additional information is displayed on a portion of the display means of the plurality of hand held terminal devices, and the advertisement information is displayed as an Internet banner depicting items for sale and is displayed with the watch information,” as recited in claim 1.

Accordingly, *Kawamoto*, *Hepp*, and *Mankoff* fail to establish a *prima facie* case of obviousness with respect to claim 1, at least because the references fail to teach each and every element of claim 1. Claims 2-9, 11, 12, and 14 depend from claim 1 and are thus also allowable over *Kawamoto*, *Hepp*, and *Mankoff*, for at least the same reasons as claim 1.

Independent claim 26, though of different scope from claim 1, is allowable for at least the same reasons as claim 1. Claims 27-32, 35, 36, and 38 depend from claim 26 and are thus also allowable over *Kawamoto*, *Hepp*, and *Mankoff* for at least the same reasons as claim 26.

Although the Examiner cites *Lim* in the rejection of dependent claims 13 and 37, Applicant respectfully asserts that *Lim* fails to cure the deficiencies of *Kawamoto*, *Hepp*, and *Mankoff* discussed above.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of the application and withdrawal of the rejections. Pending claims 1-9, 11-14, 26-32, and 35-38 are in condition for allowance, and Applicant requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 

Michael R. Kelly
Reg. No. 33,921